

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

UNITED STATES OF AMERICA)	
)	No. 08 CR 605
v.)	
)	Violations: Title 21, United States Code,
MELVIN BIBBIE and)	Sections 841(a)(1) and 846 and Title 18,
ROBERT EAST)	United States Code, Section 2
also known as "Grimy")	

**INFORMATION STATING PREVIOUS DRUG CONVICTION TO BE
RELIED UPON IN SEEKING INCREASED PUNISHMENT**

The UNITED STATES OF AMERICA, by its attorney, PATRICK J. FITZGERALD, United States Attorney for the Northern District of Illinois, hereby files this Information Stating Previous Conviction to Be Relied Upon in Seeking Increased Punishment pursuant to 21 U.S.C. § 851(a):

In the event the defendant is convicted of the offense under Title 21, United States Code, Section 841 charged in Count One, Count Two, and Count Three of the Indictment in this case, the United States shall seek increased punishment pursuant to Title 21, United States Code, Section 841(b) based on one of the following convictions for a felony drug offense which became final prior to the commission of the offense charged in Count One of the Indictment:

(i) On or about January 27, 2000, in the Circuit Court of Cook County, Illinois, defendant MELVIN BIBBIE was convicted of manufacture/delivery of cannabis, in violation of the 720 Ill. Rev. Stat., 550/5(d), in 98CF2412802, and sentenced to 3 years imprisonment in the Illinois Department of Corrections (IDOC).

(ii) On or about January 27, 2000, in the Circuit Court of Cook County,

Illinois, defendant MELVIN BIBBIE was convicted of possession of a controlled substance, in violation of 720 Ill. Rev. Stat.,570/402(c), in Case No. 98CD29828, and sentenced to 1 year imprisonment in IDOC.

(iii) One or about May 30, 2008, in the Circuit Court of Cook County, Illinois, defendant MELVIN BIBBIE was convicted of possession of a controlled substance, in violation of 720 Ill. Rev. Stat.,570/402(A)(2), in Case No. 07111763601, and sentenced to 1 year imprisonment in IDOC.

WHEREFORE, the government gives notice that defendant has at least one prior conviction for a felony drug offense, and thus the sentence upon his conviction for the offense under Title 21, United States Code, Section 846 charged in Count One of the Indictment or for the offense under Title 21, United States Code, Section 841(a)(1) in Counts Two and Three in this case shall include a term of imprisonment of not less than 20 years and not more than life, a fine not to exceed \$8,000,000, and a term of supervised release of not less than 10 years up to and including any number of years, pursuant to Title 21, United States Code, Section 841(b)(1)(A)(ii).

Dated: August 21, 2008

Respectfully submitted.
PATRICK J. FITZGERALD
United States Attorney

By: /s/ Marny M. Zimmer
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CERTIFICATE OF SERVICE

Marny M. Zimmer, an Assistant United States Attorney assigned to the instant matter, hereby certifies that the attached INFORMATION STATING PREVIOUS DRUG CONVICTION TO BE RELIED UPON IN SEEKING INCREASED PUNISHMENT was served on August 21, 2008, in accordance with Fed. R. Crim. P. 49, Fed. R. Civ. P. 5, LR 5.5, and the General Order on Electronic Case Filing (ECF) pursuant to the district court's system as to ECF filers.

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